

SENATE MOTION

MR. PRESIDENT:

I move that Senate Bill 222 be amended to read as follows:

- 1 Page 1, line 7, before "the sheriff" delete "county and" and insert
- 2 "county."
- 3 Page 1, line 7, strike "the sheriff of the county".
- 4 Page 1, line 7, after "the county" delete ".".
- 5 Page 1, line 8, after "attorney" delete "and".
- 6 Page 1, line 8, strike "the sheriff".
- 7 Page 1, strike lines 10 through 12.
- 8 Page 1, between lines 16 and 17, begin a new paragraph and insert:
- 9 "SECTION 2. IC 9-24-15-5 IS AMENDED TO READ AS
- 10 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The issues
- 11 before the court in a proceeding under this chapter must be considered
- 12 closed by denial of all matters at issue without the necessity of filing
- 13 any further pleadings.
- 14 (b) Changes of venue from the judge or from the county must be
- 15 granted a party under the law governing changes of venue in civil
- 16 causes.
- 17 (c) A suspension or revocation under this title remains in full force
- 18 and effect during the pendency of a cause under this chapter and until
- 19 the issuance of the restricted driving permit by the bureau in
- 20 accordance with the recommendation of the court.
- 21 (d) Records accumulated in the regular course of business and
- 22 routinely on file in the offices of the ~~prosecutor~~, **prosecuting attorney**
- 23 **of the county**, sheriff **of the county**, and bureau may be admitted at the
- 24 hearing on the petition. The records constitute prima facie evidence of
- 25 the matters contained on the face of the petition in relation to the
- 26 petitioner.
- 27 (e) Court costs for the action on the petition must be charged against
- 28 the petitioner. The ~~prosecutor, sheriff, and bureau are prosecuting~~
- 29 **attorney of the county is** not liable or taxable for any costs in any
- 30 action under this chapter."
- 31 Renumber all SECTIONS consecutively.

(Reference is to SB 222 as printed January 22, 2003.)

Senator FORD